

Article 2: Administrative Code

Division 5: Purchasing Agent

§22.0501 Storerooms—Stock Records—Inventory

The Purchasing Agent may, with the approval of the City Manager, establish and maintain one or more storerooms or warehouses for the keeping of the City's supplies. There shall be kept adequate stock records which shall at all times show the number or amount and the value of all items carried in such storerooms and warehouses, the receipt of all items, the issuance of all items from the storerooms and warehouses to City departments and offices upon requisition and the charges made. During the course of, but prior to the end of each fiscal year, the Auditor shall cause an inventory to be taken of all items in the storerooms and warehouses of the City which are then under the supervision of the Purchasing Agent and shall compare such inventory with the stock record to be kept by the Purchasing Agent.

(Amended 2-4-1976 by O-11765 N.S.)

§22.0502 Payment—Revolving Fund

Whenever articles, commodities, supplies, materials or equipment are purchased and delivered to the storerooms, or warehouses under control of the Purchasing Agent, in anticipation of requisitions from the several departments, divisions and offices, payment shall be made from the revolving Fund of the Central Store, to be repaid by the several departments, commissions, boards, divisions and offices as they receive such supplies on requisition.

(Amended 7-29-1954 by O-6214 N.S.)

§22.0505 Requisitions

- (a) The Purchasing Agent, head of each department, or designee, may approve requisitions and approve purchase orders for goods or services required by the department in an amount not to exceed \$25,000.
- (b) Requisitions for goods or services greater than \$25,000 shall be approved by the head of such department or his or her designee and addressed to the Purchasing Agent.
- (c) All purchase orders issued pursuant to requisitions shall bear the certificate or stamp or like approval of the Chief Financial Officer or designee pursuant to Charter section 80 and shall be reviewed for compliance with Charter section 81.

- (d) If the department or office making the requisition has available a sufficient appropriation balance, the Purchasing Agent shall either furnish the goods requisitioned from the storerooms or warehouses under his control or shall procure them by purchase. Whenever any department or office requires goods which another department is able to furnish, suitable work order or requisition may be made or transfer without monetary consideration may be effected, and such goods may be furnished to the requiring department or office. In such cases, appropriate charges and credits, if any, shall be made to the accounts affected by such transaction.
- (e) Whenever any department requires goods or services which are not available from City sources, the requesting department shall provide the Purchasing Agent with specifications completely describing the procurement by purpose or description or combination thereof. The specifications so provided shall be subject to the approval of the Purchasing Agent prior to purchase.
- (f) Brand Names. Specifications may include reference to a brand name for illustrative purposes only, provided each brand name used is followed by the words "or equal." Whenever reference to a specific brand name is made, it is illustrative and to be construed as a term of specification which describes a component that has been tested or evaluated by the City as best meeting the specific operational, design, performance, maintenance, quality and/or reliability standards and requirements of the City, thereby incorporating these requirements by reference within the specification. An equivalent ("or equal") may be offered by the bidder, subject to testing and evaluation at the option of the City prior to award of bid.

The City reserves the sole right to reject a substituted component that will not fulfill requirements. It shall be the sole responsibility of the bidder to provide at bidder's expense any product information, test data and other information the City may require to fully evaluate the acceptability of the offered substitute. Where appropriate, independent testing including destructive testing or evaluation at qualified test facilities at bidder's expense may be required as a condition of acceptance. Exceptions to the foregoing are permissible for procurement for replacement parts, or for testing and evaluation purposes or where compatibility with existing City equipment is mandated.

(Amended 5-15-1989 by O-17297 N.S.)
(Amended 5-15-2014 by O-20364 N.S.; effective 6-14-2014.)
(Amended 12-17-2014 by O-20443 N.S.; effective 1-16-2015.)

§22.0506 Obsolete or Depreciated Property—Selling, Disposing

- (a) Whenever the head of any department or office gives notice in writing to the Purchasing Agent that certain personal property of the City is so used, obsolete, depreciated, or surplus to current and projected needs as to be unfit or undesirable for use or retention by the City, the Purchasing Agent shall, if the personal property described in the notice has an actual value less than two thousand dollars (\$2,000), have the power, without advertising for bids, to sell or exchange it for other property, or otherwise dispose of it to the best advantage of the City after providing proper competition for such sale when feasible. The Purchasing Agent also may dispose of selected items of surplus property through the San Diego City Store or its successor. “Exchange” as used in this section includes transactions where used, obsolete, depreciated, or surplus property of the City is transferred (traded-in) as a partial consideration for the transfer to the City of other property. When personal property is disposed of by an exchange or sale, the cash or credit shall be credited to the department or office of the City which requested the disposal if the exchange or sale is included in the annual budget for the fiscal year in which the sale or exchange occurs. If the exchange or sale is not included in the annual budget for the fiscal year in which the sale or exchange occurs, then the resulting cash or credit will be deposited in the City’s General Fund, or in the Enterprise Fund to which the personal property was allocated prior to sale or exchange.

- (b) Whenever the personal property described in the notice referred to in the preceding paragraph has an actual value of two thousand dollars (\$2,000) or more, the Purchasing Agent shall apply to the City Manager for authority to dispose of it. The Purchasing Agent shall be authorized to sell or otherwise dispose of the personal property only when the City Manager so directs. Property with an actual value of ten thousand dollars (\$10,000) or more, or with an actual value of five thousand dollars (\$5,000) or more if a reasonable number of potential bidders is not known, shall be advertised for sale by sealed bid unless disposed of at public auction.

- (c) The Purchasing Agent shall report in writing, annually, to the Department of Finance all the proceeds from the sale of personal property pursuant to Section 22.0506. The report to the Department of Finance shall describe the property disposed of and state the consideration received by the City for the property.

(Amended 3-16-1992 by O-17747 N.S.)

(Amended 6-4-2020 by O-21192 N.S.; effective 7-4-2020.)

§22.0516 Administration and Procedures

The administration of City procurement contracts is under the authority of the Purchasing Agent. All requesting departments shall notify the Purchasing Agent of any discrepancies in or unsatisfactory performance of services or materials, and shall coordinate all contract claims, demands and related adverse action through that office. The City Manager and the Purchasing Agent shall each respectively have the authority to promulgate such rules, regulations and procedures as may be appropriate and necessary in furtherance of the requirements of this Division.

(“Administration and Procedures” added 11-2-1987 by O-16969 N.S.)

§22.0517 Purchasing Policy: Recycled Products

(a) Purpose and Intent

It is the intent of the City Council that the City of San Diego take a leadership role not only in recycling its waste products but also in the purchase of recycled products for use in the delivery of City services. It is the purpose of this section to provide direction to the City Manager and the Purchasing Agent in the procurement and use of recycled products.

(b) Policy

- (1) It is the policy of the City of San Diego to purchase and use recycled products whenever possible to the extent that such use does not negatively impact health, safety, or operational efficiency.
- (2) Purchase of products which cannot be recycled or reused is strongly discouraged.
- (3) Recycled paper shall be purchased and used in all copy machines which will accept it and shall also be used for printing purposes. City staff will encourage the copier industry to develop high-speed copiers which will accept recycled paper. City departments and divisions shall use for their master-head stationery and envelopes recycled paper which includes both secondary and post-consumer recycled content. The percentages of post-consumer and secondary content shall be spelled out in the bid specifications for letterhead and other paper grades based on industry availability. A recycled paper designation shall be printed on all City stationery.

- (4) City departments shall examine their purchasing specifications and, where feasible, restructure them to require the use of products which incorporate recycled materials in their manufacture.
- (5) A ten percent (10%) preference, not to exceed \$1,000.00 per contract, may be given to recycled products. The preference percentage shall be based on the lowest bid or price quoted by the supplier or suppliers offering non-recycled products.
- (6) The City shall cooperate with the County of San Diego, SANDAG and other governmental agencies in the development of programs and procedures which will further this policy.

(“Purchasing Policy: Recycled Products” added 5-15-1989 by O-17296 N.S.)

§22.0518 Purchase of Polystyrene Foam Food Service Ware

City departments shall not purchase or acquire food service ware made, in whole or in part, from polystyrene foam. Food service ware and polystyrene foam have the same meaning as in San Diego Municipal Code section 66.0901.

(“Purchase of Polystyrene Foam Food Service Ware” added 1-24-2019 by O-21030 N.S.; effective 2-23-2019.)